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*TTI Floor North America, Inc.*  
*(d/b/a Hoover)*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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DARLA BRADEN, INDIVIDUALLY AND  
ON BEHALF OF ALL OTHERS  
SIMILARLY SITUATED,

Plaintiff,

v.

TTI FLOOR NORTH AMERICA, INC.  
(d/b/a HOOVER),

Defendants.

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Civil Action No. 3:16-cv-743-MAS-TJB  
Honorable Michael A. Shipp  
Honorable Tonianne J. Bongiovanni

**NOTICE OF MOTION TO  
DISMISS THE COMPLAINT**

**TO:** Gerald H. Clark, Esq.  
811 Sixteenth Avenue  
Belmar, NJ 07719  
Attorney for Plaintiff

**SIR:**

**PLEASE TAKE NOTICE** that on May 16, 2016 at 10 o'clock in the forenoon, or as soon thereafter as counsel may be heard, we shall apply to the United States District Court for the District of New Jersey for entry of an Order to Dismiss *Braden v. TTI Floor North America, Inc. (d/b/a Hoover)* in its entirety for failure to state a claim upon which relief can be granted.

**PLEASE TAKE FURTHER NOTICE** that, in support of the motion, we shall rely upon the Certification of Zane C. Riester and Affidavit of Jim Deitzel and Exhibits in Support of TTI Floor North America, Inc. (d/b/a Hoover)'s Motion to Dismiss the Complaint and the Memorandum in Support of TTI Floor North America, Inc. (d/b/a Hoover)'s Motion to Dismiss the Complaint, submitted herewith.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is submitted with this motion.

McCARTER & ENGLISH, LLP  
Attorneys for Defendant  
*TTI Floor North America, Inc.*  
*(d/b/a Hoover)*

By: *s/ David R. Kott*  
David R. Kott  
Edward J. Fanning, Jr.  
Members of the Firm

Dated: April 15, 2016